



**AUSTIN CITY COUNCIL  
MINUTES**

**REGULAR MEETING  
THURSDAY, JANUARY 10, 2008**

Invocation: Rev. Sam Brannon, Interim Pastor, Messiah Lutheran Church

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, January 10, 2008 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:25 a.m.

**CONSENT AGENDA**

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Kim's motion, Council Member McCracken's second on a 7-0 vote.

1. Approval of the Austin City Council minutes from the December 6 and 13, 2007 regularly scheduled meetings; and, the December 13, 2007 and January 3, 2008 Special Called Meeting. The minutes from the regular meetings of December 6 and 13, 2007 and the Special Called Meetings of December 13, 2007 and January 3, 2008 were approved.
2. Approve the negotiation and purchase of 2.036 acres of land located at 7520-7530 Lamar Boulevard from Crestview Station RTB Land, L.P. for an appraised value of \$1,400,000 for the construction of a substation. Funding is available in the Fiscal Year 2007-2008 Capital Budget of Austin Energy. Recommended by the Electric Utility Commission. The motion authorizing the negotiation and purchase of 2.036 acres of land was approved.
3. Approve a three-year membership with POWER ACROSS TEXAS, Austin, TX, a non-profit organization, to partner with Austin Energy in providing research and analysis to advance environmentally sound approaches for ensuring reliable power supplies at the lowest possible price for all Texans in an amount not to exceed \$75,000 over three years. Funding in the amount of \$25,000 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding for the remaining \$50,000 is contingent upon available funding in future budgets. Recommended by the Electric Utility Commission on December 17, 2007. The motion authorizing a membership with Power Across Texas was approved.
4. Authorize reimbursement of costs to Ronald McDonald House for the purchase and installation of the associated piping and energy metering system/controls needed to interconnect this building to the Austin Energy district cooling system in an amount not to exceed \$126,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of Austin Energy. Recommended by the Electric Utility Commission. The motion authorizing the reimbursement of costs to Ronald McDonald House was approved.

5. Approve the negotiation and purchase of 2.458 acres of land located at 1021-1111 West Slaughter Lane from Slaughter 2.458, LLC, a Texas Limited Partnership, for an appraised value of \$780,000 for a transmission line and construction uses by Austin Energy. Funding is available in the Fiscal Year 2007-2008 Capital Budget of Austin Energy. Recommended by the Electric Utility Commission.  
**The motion authorizing the negotiation and purchase of 2.458 acres of land was approved.**
6. Approve an ordinance authorizing negotiation and execution of a cost reimbursement agreement, related to Service Extension Request No. 2501, with WANDERING CREEK INVESTMENTS, L.P., providing terms and conditions for construction of 24 and 36-inch water mains and appurtenances to provide water service to the Wandering Creek Subdivision located south and west of Elroy Road and east of McAngus Road with City cost reimbursement in an amount not to exceed \$3,929,265; waiving the requirements of Section 25-9-61 and Section 25-9-63 of the City Code relating to the amount of cost reimbursement for eligible projects. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.  
**This item was postponed to January 17, 2008.**
7. Approve an ordinance authorizing negotiation and execution of a cost reimbursement agreement, related to Service Extension Request No. 2502, with WANDERING CREEK INVESTMENTS, L.P., providing terms and conditions for construction of a 36-inch gravity wastewater main and appurtenances to provide wastewater service to the Wandering Creek Subdivision located south and west of Elroy Road and east of McAngus Road with City cost reimbursement in an amount not to exceed \$6,691,275; waiving the requirements of Section 25-9-61 and Section 25-9-63 of the City Code relating to the amount of cost reimbursement for eligible projects, and waiving the requirements of Section 25-9-67 of the City Code relating to cost reimbursement payments. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.  
**This item was postponed to January 17, 2008.**
8. Approve an ordinance authorizing negotiation and execution of a cost reimbursement agreement, related to Service Extension Request No. 2530, with BOYCE LANE, L.P., providing terms and conditions for construction of 24-inch water main and appurtenances to provide water service to the Bellingham Meadows Subdivision located along East Parmer Lane at Boyce Lane and Farmhaven Road with City cost reimbursement in an amount not to exceed \$2,060,700, for actual construction costs, and waiving the requirements of Section 25-9-61 and Section 25-9-63 of the City Code relating to the amount of cost reimbursement for eligible projects. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.  
**This item was postponed to January 17, 2008.**
9. Approve an ordinance authorizing negotiation and execution of a cost reimbursement agreement, related to Service Extension Request No. 2531, with BOYCE LANE, L.P., providing terms and conditions for construction of an 15 and 18-inch gravity wastewater main and appurtenances to provide wastewater service to the Bellingham Meadows Subdivision located along East Parmer Lane at Boyce Lane and Farmhaven Road with City cost reimbursement in an amount not to exceed \$1,276,413, for actual construction costs; waiving the requirements of Section 25-9-61 and Section 25-9-63 of the City Code relating to the amount of cost reimbursement for eligible projects, and waiving the requirements of Section 25-9-62 of the City Code relating to amount of cost participation. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.  
**This item was postponed to January 17, 2008.**
10. Approve Service Extension Request No. 2692 submitted by JAN GRAHAM for wastewater service not to exceed a peak wet weather flow of seven gallons per minute (gpm) for two proposed single-family homes

located within the Drinking Water Protection Zone in the City's extraterritorial jurisdiction at 4170 Westlake Drive. There is no unanticipated fiscal impact. Recommended by the Environmental Board; and, the Water and Wastewater Commission.

**The motion authorizing the service extension request number 2692 was approved.**

11. Approve Service Extension Request No. 2644 for water service not to exceed a peak hour flow of 88 gallons per minute for DACK INTERESTS, developer of a 40 lot single-family home development located within the Drinking Water Protection Zone in the City's extraterritorial jurisdiction at Circle Drive and Rawhide Trail. There is no unanticipated fiscal impact. Recommended by the Environmental Board; and, the Water and Wastewater Commission.  
**The motion authorizing the service extension request number 2644 was approved.**
12. Approve a resolution authorizing acceptance of grants from the Federal Aviation Administration, the Transportation Security Administration, and other agencies of the United States Government in an amount not to exceed \$30,000,000, to the City of Austin, Department of Aviation, for Austin-Bergstrom International Airport for Fiscal Year 2007-2008. Grant reimbursement will apply to projects in the Fiscal Year 2007-2008 Capital and/or Operating Budgets of the Aviation Department. Grant funds will be placed in the Airport Capital Fund, the ABIA Improvement Funds and/or the ABIA Operating Fund. To be reviewed by the Austin Airport Advisory Commission on January 8, 2008. Recommended by the Airport Advisory Commission.  
**Resolution No. 20080110-012 was approved.**
13. Appoint Jeff Knodel, Deputy Chief Financial Officer, and Mark Tester, Director, Austin Convention Center to the Board of Directors of Austin Convention Enterprises (ACE) and remove Jim Smith, Executive Director, Aviation Department.  
**The motion authorizing appointment of Jeff Knodel, Deputy Chief Financial Officer, and Mark Tester, Director, Austin Convention Center to the Board of Directors of Austin Convention Enterprises (ACE) and to remove Jim Smith, Executive Director, Aviation Department was approved.**
14. Approve execution of a Memorandum of Cooperation between the City and AUSTIN INDEPENDENT SCHOOL DISTRICT (AISD), Austin, TX, to waive the temporary food event permit fee for any and all school-related, non-profit entities regarding AISD Temporary Food Event Permits. The estimated fiscal impact of the action is a \$1,120 loss in revenue. All AISD temporary food permit fees will be waived and food inspection services will be provided by the Austin/Travis County Health and Human Services Department Environmental and Consumer Health Unit.  
**The motion authorizing the execution of a memorandum of cooperation between the City and Austin Independent School District (AISD) was approved.**
15. Approve negotiation and execution of a contract amendment with the AUSTIN CHILDREN'S SHELTER, Austin, TX to increase the funding by \$100,000 for additional child protection and shelter services, from January 1-December 31, 2008, for a total not-to-exceed contract amount of \$197,938. Three 12-month extension options remain, for a total not-to-exceed contract amount of \$97,938 for each extension option. Funding in the amount of \$148,454 is available in the Fiscal Year 2007-2008 Operating Budget of the Health and Human Services Department. The term of the contract period is January 1, 2008 through December 31, 2008. Funding for the extension options is contingent on available funding in future budgets.  
**The motion authorizing the negotiation and execution of a contract amendment with the Austin Children's Shelter was approved.**

16. Approve negotiation and execution of a \$125,000 contract amendment with FAMILY ELDERCARE, Austin, TX to provide additional senior services, for a total contract amount not to exceed \$175,229. Funding in the amount of \$131,421 is available in the Fiscal Year 2007-2008 Operating Budget for the Health and Human Services Department. The term of this contract is for the period of January 1, 2008 through December 31, 2008. Funding for the balance of this contract is contingent on available funding in a future budget.  
**The motion authorizing the negotiation and execution of a contract amendment with Family Eldercare was approved.**
17. Approve appointment of LINDA WILLIAMS DOOLEY, M.D. as Health Authority and designation of EDWARD MACLEOD RACHT, M.D. and BIRCH DUKE KIMBROUGH, M.D., each individually, as an Alternate Health Authority for Austin/Travis County Health and Human Services Department effective January 12, 2008. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Health and Human Services Department.  
**The motion authorizing the appointment of Linda Williams Dooley, M.D. as Health Authority, and designation of Edward Macleod Racht, M.D. and Birch Duke Kimrough, M.D., each individually as an alternate health authority for Austin/Travis County Health and Human Services Department effective January 12, 2008 was approved.**
18. Approve an amendment to the outside counsel contract with Scott, Douglass & McConnico, LLP, Austin, Texas, in the amount of \$260,000 for legal counsel concerning development at Northcross Mall, including legal services related to the trial and possible appeal of, as well as the handling of other post-trial matters for, cause of action No. D-1-GN-07-001957, Responsible Growth For Northcross, Inc. v. City of Austin, Lincoln Property Company Commercial, Inc., and Lincoln Northcross, LTD.; and cause of action No. D-1-GN-07-002012, Allandale Neighborhood Association v. City of Austin, Lincoln Property Company Commercial, Inc., and Lincoln Northcross, LTD. (concerning site plan approvals by the City) for a total contract amount not to exceed \$684,000. Funding is available in the Liability Reserve Fund.  
**The motion authorizing an amendment to the outside counsel contract with Scott, Douglass & McConnico, LLP was approved.**
19. Approve a resolution waiving the Personnel Policy requirement to maintain payroll status on December 1 for two City of Austin employees whose deaths occurred within 30 days of their eligibility for service incentive pay and service incentive pay enhancement. Funding in the amount of \$3,147 is available in the Fiscal Year 2007-2008 Operating Budgets of the effected departments.  
**Resolution No. 20080110-019 was approved.**
20. Approve a resolution setting forth the date of December 31, 2008 for full purpose annexation of properties located within the boundaries of Anderson Mill Municipal Utility District (MUD) in accordance with the terms of the Strategic Partnership Agreement (SPA) between the City of Austin and the Anderson Mill MUD, as amended. Properties to be annexed include the limited purpose commercial property and the residential property in the MUD (approximately 1,091 acres located in Williamson and Travis Counties, Texas generally bounded by RM 620 to the west, US 183 to the north, and Anderson Mill Road to the south).  
**Resolution No. 20080110-020 was approved.**
21. Approve a resolution authorizing the fee simple acquisition of Lot 22, Block 1, Lincoln Gardens, Section 1, in Travis County, Texas, located at 1216 Fort Branch Boulevard from Bank of New York, Trustee in Austin, Travis County, Texas for the Fort Branch Reach 6 and 7 Streambank and Flood Control Project in an amount not to exceed \$83,900. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.  
**Resolution No. 20080110-021 was approved.**

22. Approve a resolution authorizing the fee simple acquisition of Lots 1 and 2, of the United Pentecostal Subdivision, located at 1203 Old Bastrop Highway, from United Pentecostal Church of Jesus Christ of Austin, Travis County, Texas also known as United Pentecostal Church and also known as United Pentecostal Church of Austin, Inc., for the Airport Noise Mitigation Program, in the amount of \$2,200,140 for the land and improvements and \$100,000 in owner assisted relocation benefits, plus closing costs and moving related expenses not to exceed \$50,000, for a total not to exceed \$2,350,140. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.  
**Resolution No. 20080110-022 was approved.**
23. Approve a resolution authorizing the fee simple acquisition of Lot 26, Block K, Onion Creek Forest Section 2, Amended Plat, a subdivision in Travis County, Texas, located at 6900 Thornwood Court, from Apolinar M. Carbajal for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$37,000 for the land and improvements and \$52,900 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total not to exceed \$99,900. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.  
**Resolution No. 20080110-023 was approved.**
24. Approve a resolution authorizing the fee simple acquisition of Lot 22, Block H, Onion Creek Forest Section 4, Amended Plat, a subdivision in Travis County, Texas, located at 6911 South Pleasant Valley Road, from Thomas J. Cebulla for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$127,000 for the land and improvements, plus moving related expenses not to exceed \$10,000, for a total not to exceed \$137,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.  
**Resolution No. 20080110-024 was approved.**
25. Approve a resolution authorizing the fee simple acquisition of Lot 39, Block K, Yarrabee Bend Section 4, Amended Plat, a subdivision in Travis County, Texas, located at 7104 Firefly Drive, from Linda D. Walls for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$115,000 for the land and improvements and \$3,500 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total not to exceed \$128,500. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.  
**Resolution No. 20080110-025 was approved.**
26. Approve a resolution authorizing the fee simple acquisition of Lot 7, Block M, Onion Creek Forest Section 2, Amended Plat, a subdivision in Travis County, Texas, located at 5501 Vine Hill Drive, from Rhonda Kay Winn for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$88,000 for the land and improvements and \$83,920 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total not to exceed \$181,920. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.  
**Resolution No. 20080110-026 was approved.**
27. Approve a resolution authorizing the fee simple acquisition of Lot 23, Block K, Yarrabee Bend Section 3, Amended Plat, a subdivision in Travis County, Texas, located at 7210 Firefly Drive, from Jose M. Patino for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$142,000 for the land and improvements and \$113,900 in owner-assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total not to exceed \$265,900. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.

**Resolution No. 20080110-027 was approved.**

28. Authorize execution of a construction contract with MCLEAN CONSTRUCTION, LTD., Killeen, Texas, for the Lamar/Bluebonnet/Manchaca Water Improvements - ACWP - Govalle 1 Basin Wastewater Improvements in the amount of \$7,547,468 plus a \$370,375 contingency, for a total contract amount not to exceed \$7,917,843. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Lowest bid of 5 received. This contract will be awarded in compliance with Chapter 2-9A of the City code (Minority Owned and Women Owned Business Enterprise Procurement Program) through achievements of Good Faith Efforts of 12.45% MBE and 3.30% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.  
**The motion authorizing the execution of a construction contract with McLean Construction, Ltd. was approved.**
29. Authorize negotiation and execution of a professional services agreement with COTERA + REED ARCHITECTS (MBE/MH), Austin, TX, to develop architectural and engineering design and construction documents for the I-35 Makeover between East 6th and East 8th Streets, in an amount not to exceed \$200,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Neighborhood Planning and Zoning Department. One qualification statement received. This contract will be awarded in compliance with Chapter 2-9A of the City code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 16.5% MBE and 14.2% WBE subconsultant participation.  
**The motion authorizing the negotiation and execution of a professional services agreement with Cotera + Reed Architects (MBE/MH) was approved.**
30. Authorize negotiation and execution of a professional services agreement with KIMLEY-HORN AND ASSOCIATES, INC., Dallas, TX; ENCOTECH ENGINEERING CONSULTANTS, INC. (MBE/MA), Austin, TX; ARIZPE GROUP (THE) (MBE/MH), Austin, TX, for engineering and architectural services for parks swimming pool facilities engineering / architectural rotation list 2007-2010 for a period of three years or until financial authorization is expended, each agreement in an amount not to exceed \$500,000 with a total amount for the three agreements not to exceed \$1,500,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Parks and Recreation Department. Best three qualification statements of 10 received. This contract will be awarded in compliance with Chapter 2-9A of the City code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with African-American 1.7%, Hispanic 9.5%, Native/Asian American and 14.2% WBE subconsultant participation.  
**The motion authorizing the negotiation and execution of a professional services agreement with Kimley-Horn and Associates, Inc., Encotech Engineering Consultants, Inc. (MBE/MA), and Arizpe Group (The) (MBE/MH) was approved.**
31. Authorize negotiation and execution of a professional services agreement with URS Corporation, Austin TX, for engineering services for the design, bid/award, construction, and post construction phases for the Upper Boggy Creek Integrated Watershed Management project in an amount not to exceed \$1,400,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection Development Review Department. Best qualification statement of 3 received. This contract will be awarded in compliance with Chapter 2-9A of the City code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 1.7% African-American, 9.5% Hispanic, 5.3% Native/Asian American for MBE and 14.2% WBE sub consultant participation.  
**The motion authorizing the negotiation and execution of a professional services agreement with URS Corporation was approved.**

32. Authorize award, negotiation, and execution of Amendment No. 1 to a contract with SECURITY DESIGN, INC., dba EO INTEGRATED SYSTEMS, INC., San Antonio, TX, for the security system upgrade at Austin Bergstrom International Airport in an amount not to exceed \$700,000, for a total contract amount not to exceed \$8,270,117.80. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Department of Aviation. Contract Amendment. This contract was awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) with 11.82% DBE subcontractor participation to date. Recommended by the Airport Advisory Commission. **The motion authorizing the award, negotiation, and execution of amendment number 1 to a contract with Security Design, Inc., doing business as EO Integrated Systems, Inc. was approved.**
33. Authorize award and execution of Amendment No. 4 to the requirements service contract with ADVANCE SECURITY INC., Austin, TX, for uniformed security guard services to increase the contract in an estimated amount not to exceed \$192,760 for the current contract term and \$192,760 for each of the two remaining extension options, for a revised total estimated contract amount not to exceed \$5,928,527.80. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets. Contract Amendment. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. **The motion authorizing the award and execution of amendment number 4 to the requirements service contract with Advance Security Inc. was approved.**
34. Authorize award and execution of a contract with DREHER & ASSOCIATES, Austin, TX, for the repair of the cooling tower at the Sand Hill Energy Center in an amount not to exceed \$65,788. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Sole bid received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. **The motion authorizing the award and execution of a contract with Dreher and Associates was approved.**
35. Authorize award and execution of a contract with GE ENERGY MANAGEMENT SERVICES, INCORPORATED, Kansas City, MO, for the upgrade of the continuous emissions monitoring system (CEMS) data acquisition and handling system (DAHS) at the Decker Creek Power Station and Sand Hill Energy Center, in an amount not to exceed \$94,184. Funding is available in the Fiscal Year 2007-2008 Capital Budget of Austin Energy. Sole Source. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. **The motion authorizing the award and execution of a contract with GE Energy Management Services Incorporated was approved.**
36. Authorize award, negotiation, and execution of a 24-month requirements service contract with JOSE E. MARTINEZ AND ASSOCIATES, LLC (MDB), Austin, TX, for public information and communications services for the Holly Power Plant decommissioning project in an estimated amount not to exceed \$233,340, with one 24-month extension option in an estimated amount not to exceed \$233,340, for a total estimated contract amount not to exceed \$466,680. Funding in the amount of \$87,503 is available in the Fiscal Year 2007-2008 Capital Budget of Austin Energy. Funding for the remaining 15 months of the original contract period and extension option is contingent upon available funding in future budgets. Best evaluated proposal of six proposals received. This contract will be awarded in compliance with Chapter 2-

9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. **The motion authorizing the award, negotiation and execution of a requirements service contract with Jose E. Martinez and Associates, LLC (MDB) was approved.**

37. Authorize award and execution of a 24-month requirements supply contract with KBS ELECTRICAL DISTRIBUTORS, Austin, TX for the purchase of 138KV air switches in an estimated amount not to exceed \$188,050, with two 12-month extension options in an estimated amount not to exceed \$94,025 per extension option, for a total estimated contract amount not to exceed \$376,100. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Energy Department. Funding for the extension options is contingent upon available funding in future budgets. Lowest bidder meeting specifications of five bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. **The motion authorizing the award and execution of a requirements supply contract with KBS Electrical Distributors was approved.**
38. Authorize award and execution of a 24-month requirements supply contract with HD SUPPLY WATERWORKS, Round Rock, TX, for clamps and couplings in an estimated amount not to exceed \$107,163, with two 12-month extension options in an estimated amount not to exceed \$53,582 per extension option, for a total estimated contract amount not to exceed \$214,326. Funding in the amount of \$40,187 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Funding for the remaining 15 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9d of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation. Recommended by the Water and Wastewater Commission. **The motion authorizing the award and execution of a requirements supply contract with HD Supply Waterworks was approved.**
39. Authorize award and execution of a 24-month requirements supply contract with MUNICIPAL WATER WORKS SUPPLY, L. P., Royce City, TX for the supply of manhole rings and covers for the Austin Water Utility in an estimated amount not to exceed \$127,930, with two 12-month extension options in estimated amounts not to exceed \$70,362 for the first extension options and \$80,916 for the second extension option, for a total estimated contract amount not to exceed \$279,208. Funding in the amount \$47,974 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Funding for the remaining 15 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Water and Wastewater Commission. **The motion authorizing the award and execution of a requirements supply contract with Municipal Water Works Supply, L.P. was approved.**
40. Authorize award and execution of a 24-month requirements supply contract with MUNICIPAL WATER WORKS SUPPLY, L.P., Royce City, TX for the supply of Schedule 40 PVC, brass, and iron fittings for the Austin Water Utility in an estimated amount not to exceed \$107,724, with two 12-month extension options in an estimated amount not to exceed \$53,862 per extension option, for a total estimated contract amount not to exceed \$215,448. Funding in the amount of \$40,397 is available in the Fiscal Year 2007 - 2008 Operating Budget of the Austin Water Utility. Funding for the remaining 15 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid

of three bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.

**The motion authorizing the award and execution of a requirements supply contract with Municipal Water Works Supply, L.P. was approved.**

41. Authorize award and execution of a contract with TKO ADVERTISING, INC., Austin, TX, to provide marketing services for the Austin Water Utility's Water Conservation Division in an amount of \$88,000. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Best evaluated bid of two bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting Opportunities were identified; therefore no goals were established for this solicitation. Recommended by Water and Wastewater Commission and Resource Management Commission.  
**The motion authorizing the award and execution of a contract with TKO Advertising, Inc. was approved.**
42. Authorize award and execution of a 36-month requirements supply contract with CASCO INDUSTRIES, New Braunfels, TX for protective outerwear for Emergency Medical Services personnel in an estimated amount not to exceed \$485,302, with three 12-month extension options in an estimated amount not to exceed \$169,856 for the first extension option, \$178,349 for the second extension option, and \$187,266 for the third extension option, for a total estimated contract amount not to exceed \$993,773. Funding in the amount of \$121,326 is available in the Fiscal Year 2007-2008 Operating Budget of the Emergency Medical Services Department. Funding for the remaining 27 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid meeting specification of two bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.  
**The motion authorizing the award and execution of a requirements supply contract with Casco Industries was approved.**
43. Authorize award and execution of a 36-month requirements supply contract with MIDWEST TAPE, LLC, Holland, OH, for the purchase of DVD videos and processing services in an estimated amount not to exceed \$3,600,000, with three 12-month extension options in an estimated amount not to exceed \$1,200,000 per extension option, for a total estimated contract amount not to exceed \$7,200,000. Funding in the amount of \$780,000 is available in the Fiscal Year 2007-2008 Operating Budget of the Library Department. Funding in the amount of \$120,000 is available in the Fiscal Year 2007-2008 Capital Budget of the Library Department. Funding for the remaining 27 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid meeting specifications of four bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.  
**The motion authorizing the award and execution of a requirements supply contract with Midwest Tape, LLC was approved.**
44. Authorize award and execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with PHILPOTT MOTORS, LTD, Nederland, TX for the purchase of four bio-diesel powered platform trucks in an amount not to exceed \$194,362.56. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Public Works Department. Cooperative purchase. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative

Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this solicitation.

The motion authorizing the award and execution of a contract through the Texas Local Government Purchasing Cooperative (Buyboard) with Philpott Motors, LTD was approved.

Item 45 was pulled for discussion.

46. Authorize negotiation and execution of amendments to the existing professional services agreement with HALFF ASSOCIATES, INC, Austin, TX, for additional hydrologic and hydraulic engineering studies and associated mapping in an amount not to exceed \$198,375 for a maximum contract amount not to exceed \$994,295. Funding is available in the Capital Budget of the Watershed Protection and Development Review Department. This contract was awarded in compliance with Chapter 2-9B of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the goals with 14.28% MBE and 16.35% WBE subconsultant participation to date.

The motion authorizing the negotiation and execution of amendments to the existing professional services agreement with Halff Associates, Inc was approved.

47. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.

The following appointments were made:

Board

Nominated By:

Animal Advisory Commission

Lt. Gerardo Gonzalez  
*(required position – City Official)*

Mayor Wynn

Commission for Women

Angela Howard

Council Member Leffingwell

Community Development Commission

John Limon  
*(required position – Rosewood/Zaragoza/Blackland neighborhood)*

Council Member Leffingwell

Construction Advisory Committee

Ira Crofford

Council Member Leffingwell

Electric Board

Randy Walden

Council Member Leffingwell

Housing Authority of the City of Austin

Charles “Chuck” Bailey

Mayor Wynn

Residential Design and Compatibility Commission

William Burkhardt

Mayor Wynn

Zoning and Platting Commission

Roxanne Evans

Council Member Cole

48. Approve an ordinance amending Chapter 2-1 of the City Code to add Section 2-1-108 relating to "Austin Mayor's Committee For People With Disabilities" and repealing Section 2-1-126 relating to the "Committee For Persons With Disabilities". (Mayor Will Wynn Mayor Pro Tem Betty Dunkerley Council Member Lee Leffingwell)  
**Ordinance No. 20080110-048 was approved.**

**Item 49 was pulled for discussion.**

50. Approve a resolution directing the City Manager to work with the Southeast Austin Trails and Greenways Alliance (SETGA) to secure the needed easements for extending the Country Club Creek Hike & Bike Trail from Elmont Street to Oltorf Street and then identify alternative routes to connect the Hike and Bike Trail to Mabel Davis Park, and report back to City Council in 90 days. (Council Member Lee Leffingwell Council Member Mike Martinez and Council Member Sheryl Cole)  
**Resolution No. 20080110-050 was approved. Council Member Leffingwell's friendly amendment as follows was accepted by Council Member Kim, the maker of the motion, and Council Member McCracken, who seconded the motion. The friendly amendment directed the City Manager to ask any City of Austin departments that have easements affecting the city's hike and bike trails to provide information regarding those easements to the City Manager. The purpose of gathering this information is for a Geographic Information System (GIS) to be created that will allow planning and connectivity of hike and bike trails throughout the city to be enhanced. The City Manager was directed to report progress on this project to the City Council in 90 days.**
51. Approve a resolution directing the City Manager to work with the Austin Parks Foundation and other interested stakeholders to develop Gus Garcia Park. (Council Member Jennifer Kim Council Member Mike Martinez Mayor Will Wynn)  
**Resolution No. 20080110-051 was approved.**
52. Approve a resolution directing the City Manager to report back to Council in 180 days with a plan to make the Trail of Lights Festival carbon neutral as soon as possible. (Council Member Mike Martinez Council Member Lee Leffingwell Mayor Will Wynn)  
**Resolution No. 20080110-052 was approved.**
53. Approve waiver of \$475 in EMS standby fees for the 2008 Marathon Kid's, Inc. Final Mile Medal Celebration, to be held on February 23, 2008. (Mayor Will Wynn Council Member Mike Martinez Council Member Jennifer Kim)  
**The motion authorizing the waiver of \$475 in EMS standby fees for the 2008 Marathon Kid's, Inc. Final Mile Medal Celebration was approved.**
54. Set a public hearing to consider an ordinance amending Section 12-5-29 of the City Code relating to parking in the front or side yards of a residential property. (Suggested date and time: January 31, 2008 at 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX).  
**The public hearing was set for January 31, 2008 at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.**
55. Set a public hearing to consider an ordinance amending Section 25-2-812 of the City Code relating to Mobile Food Establishments. (Suggested date and time: January 31, 2008 at 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX).  
**The public hearing was set for January 31, 2008 at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.**

56. Set a public hearing to consider an ordinance amending Chapter 25-2 of the City Code relating to affordable housing development incentives. (Suggested date and time: January 31, 2008 at 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX).  
**The public hearing was set for January 31, 2008 at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.**
57. Set a public hearing to consider an ordinance amending Chapter 25-2 of the City Code to add new permitted uses to the Neighborhood Commercial (LR) zoning district. (Suggested date and time: January 31, 2008 at 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX).  
**The public hearing was set for January 31, 2008 at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.**
58. Set a public hearing to consider an ordinance amending Chapter 25 of the City Code related to residential uses in mixed use buildings. (Suggested date and time: January 31, 2008 at 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX).  
**The public hearing was set for January 31, 2008 at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.**
59. Set a public hearing to consider an appeal by CWS Capital Partners, LLC, of the Planning Commission's decision to deny requested Waterfront overlay variances, under Section 25-2-713(B) of the City Code for property located at 222 E. Riverside. (Suggested date and time: February 14, 2008 at 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX.) The Planning Commission denied the requested Waterfront Overlay variances and site plan; The PARD Board recommended denial of the requested Waterfront Overlay variances.  
**The public hearing was set for February 14, 2008 at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.**
60. Set a public hearing to consider an appeal by CWS Capital Partners, LLC, of the Planning Commission's decision to deny requested Waterfront overlay variances, under Section 25-2-713(B) of the City Code for property located at 300 E. Riverside Drive. (Suggested date and time: February 14, 2008 at 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX.) The Planning Commission denied the requested Waterfront Overlay variances and site plan; The PARD Board recommended denial of the requested Waterfront Overlay variances.  
**The public hearing was set for February 14, 2008 at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.**
61. Set a public hearing to consider an ordinance amending the East 11th and 12th Streets Urban Renewal Plan, including changes to permitted uses, conditional uses, fencing requirements, variances, and multi-level parking structure requirements. (Suggested date and time: January 17, 2008 at 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX). Recommended by the Urban Renewal Board and Planning Commission.  
**The public hearing was set for January 17, 2008 at 6:00 p.m., Austin, City Hall, at 301 W. Second Street, Austin, Texas.**

Item 62 was a briefing item set for 10:30 a.m.

Items 63 through 68 were Executive Session items.

Item 69 was an action on Executive Session item.

Item 70 was a bond sale item set for 2:00 p.m.

Items 71 through 99 were zoning items set for 4:00 p.m.

Items 100 through 107 were public hearing items set for 6:00 p.m.

**BRIEFING**

- 62. Presentation and update on the Austin Partners in Education initiative  
**The presentation was made by Toby Futrell, City Manager; Marilee Ratcliffe, Executive Assistant, Office of City Manager; and Kathrin Brewer, Austin Partners in Education.**

**DISCUSSION ITEMS**

- 49. Approve a resolution directing the City Manager to create an Austin Parking Enterprise to finance and own structured parking and to fund investments in trails and transit infrastructure. (Council Member Brewster McCracken Council Member Sheryl Cole)  
**Resolution No. 20080110-049 was approved on Council Member McCracken’s motion, Mayor Pro Tem Dunkerley’s second on a 7-0 vote.**
- 45. Approve an ordinance amending Ordinance No. 20070910-003, the City's 2007-2008 Operating Budget, to revise City of Austin Financial Policies. Recommended by the Audit and Finance Committee.  
**Ordinance No. 20080110-045 was approved with the following amendment on Council Member Kim’s motion, Mayor Pro Tem Dunkerley’s second on a 7-0 vote. Part 2 (8) should read: “Commercial paper may be used to finance capital improvements required for normal business operation for Electric System additions, extensions, and improvements or improvements to comply with local, state and federal mandates or regulations. However, this shall not apply to new nuclear or conventional coal generation units.”**

Mayor Wynn recessed the Council Meeting at 11:52 a.m.

Mayor Wynn called the Council Meeting back to order at 12:05 p.m.

**CITIZEN COMMUNICATION: GENERAL**

Malcolm Yeatts - Investment in Easement

John Goldstone - East 12th Street

Dennis Paddie - ARTISTS! THE HOMELESS THE "ARCH" AND BRACKENRIDGE HOSPITAL: A SAGA!

Jessie Mercer - 18 Wheelers coming through Residential Area

Paul Robbins - City Issues

G. Pena - Happy New Year. Make the City Manager Selection Process more Inclusive (per City Charter and ARCUS Contract) Crime is on the Increase. APD should improve relations with the Community. Need More Funding for Mental Health Treatment. Build more Affordable Housing. Support efforts for Affordable Housing, Health Care, and Job Training for Military Veterans.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 12:29 p.m.

**EXECUTIVE SESSION**

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

63. Discuss legal issues concerning Housing Authority of the City of Austin v. City of Austin; Cause No. D-1-GN-07-002170; filed in the 419th Judicial District; Travis County, Texas (concerns transportation user fee and drainage user fee)(Private Consultation with Attorney - Section 551.071).
64. Discuss real estate development options related to the sale or lease of the Green Water Treatment Plant site (Real Property - Section 551.072).
65. Discuss personnel matters related to the search for a new City Manager (Personnel Matters - Section 551.074).
66. Discuss legal issues related to the search for a new City Manager (Private Consultations with Attorney - Section 551.071).  
**This item was withdrawn.**
67. Discuss legal issues related to negotiation and execution of a retail lease for the City Hall retail space. (Private Consultation with Attorney-Section 551.071).  
**Mayor did not participate.**
68. Discuss negotiations of terms for a retail lease for the City Hall retail space (Real Property-Section 551.072).  
**Mayor did not participate.**

Executive Session ended and Mayor Wynn called the Special Called Meeting back to order at 3:22 p.m. See separate minutes.

Mayor Wynn adjourned the Special Called Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 3:27 p.m. See separate minutes.

Mayor Wynn called the Council Meeting back to order at 3:31 p.m.

**BOND SALES**

70. Approve an ordinance authorizing the issuance of City of Austin, Texas Public Improvement Refunding Bonds, Series 2008, in an amount not to exceed \$175,000,000 and authorizing and approving related documents. The estimated debt service requirement is \$3,468,393 and the \$400 annual paying agent/registrar fee was included in the 2007-2008 approved Budget of the General Obligation Debt Service Fund.  
**Ordinance No. 20080110-070 was approved on Council Member McCracken's motion, Mayor Pro Tem Dunkerley's second on a 5-0 vote. Council Members Cole and Kim were off the dais.**

**ACTION ON EXECUTIVE SESSION**

69. Approve a resolution authorizing negotiation and execution of a retail lease with a selected operator for operation of the City Hall retail space.  
**Resolution No. 20080110-069 was approved on Council Member Leffingwell's motion, Council Member Martinez' second on a 4-0 vote. Mayor Wynn recused. Council Members Cole and Kim were off the dais.**

Mayor Pro Tem Dunkerley recessed the Council Meeting at 3:37 p.m.

Mayor Wynn called the Council Meeting back to order at 4:12 p.m.

### ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Mayor Pro Tem Dunkerley's motion, Council Member McCracken's second on a 7-0 vote.

73. C14-2007-0192 - Habibi's Hutch Day Care - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2006 Bert Avenue (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to limited office-conditional overlay (LO-CO) combining district zoning. First reading approved on December 6, 2007. Vote: 7-0. Applicant: Belinda Campos-Calhoun. Agent: Drenner & Golden Stuart Wolff, LLP (Michele Rogerson). City Staff: Robert Heil, 974-2330.  
**Ordinance No. 20080110-073 for limited office-conditional overlay (LO-CO) combining district zoning was approved.**
74. C14-2007-0129 Cumberland Residential - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1001 Cumberland Road (West Bouldin Creek Watershed) from multi-family residence-limited density (MF-1) district zoning and multi-family residence-limited density-conditional overlay (MF-1-CO) combining district zoning to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. First reading approved on December 13, 2007. Vote: 6-0 (McCracken off the dais). Applicant: Salvation Army (Major Stephen Ellis). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Robert Heil, 974-2330.  
**This item was postponed to January 17, 2008 at the staff's request.**
75. C14-2007-0164 - Seaholm Power Plant Development - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 800 West Cesar Chavez Street (Shoal Creek and Town Lake Watersheds) from unzoned right-of-way and public (P) district zoning to downtown mixed use-central urban redevelopment-conditional overlay (DMU-CURE-CO) combining district zoning. First reading approved on December 13, 2007. Vote: 6-0 (McCracken off the dais). Applicant: City of Austin (Gary Glover). Agent: Neighborhood Planning and Zoning Department. City Staff: Jorge E. Rousselin, 974-2975.  
**Ordinance No. 20080110-075 for downtown mixed use-central urban redevelopment-conditional overlay (DMU-CURE-CO) combining district zoning was approved.**
76. C14-2007-0168 - Speedy Stop - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6111 FM 2244 (Eanes Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. First reading approved on December 13, 2007. Vote: 6-0 (McCracken off the dais). Applicant: Trustee of the Esue Trust (Sanford Sandelman). Agent: Norma Raven. City Staff: Robert Heil, 974-2330.

**Ordinance No. 20080110-076 for community commercial-conditional overlay (GR-CO) combining district zoning was approved.**

77. C14-2007-0182 - Lower Agave Heights - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6031 Moonglow (Walnut Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to single-family residence-small lot (SF-4A) district zoning. First reading approved on December 13, 2007. Vote: 6-0 (McCracken off the dais). Applicant: Mattie Matthaei. Agent: A.J. Ghaddar. City Staff: Robert Heil, 974-2330.

**Ordinance No. 20080110-077 for single-family residence-small lot (SF-4A) district zoning was approved.**

78. C14-2007-0067 - Clawson - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3608 and 3706 Clawson Road (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning. First reading approved on October 11, 2007. Vote: 6-0 (Cole-off the dais). Applicant: Claria Riccobono, Richard Roberts and James Barnett. Agent: Jay Dupont. City Staff: Robert Heil, 974-2330. A valid petition has been filed in opposition to this rezoning request.

**The second reading of the ordinance for multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning was approved.**

### ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Council Member Leffingwell's motion, Council Member Martinez' second on a 7-0 vote.

79. C14-04-0196.02 - The Enclave - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4525 Guadalupe Street (Waller Creek Watershed) from multi-family residence-moderate high density-neighborhood conservation combining district-neighborhood plan (MF-4-NCCD-NP) combining district zoning to multi-family residence-moderate high density-neighborhood conservation combining district-neighborhood plan (MF-4-NCCD-NP) combining district zoning to amend the Hyde Park North neighborhood conservation combining district (NCCD). Staff Recommendation: To grant multi-family residence-moderate high density-neighborhood conservation combining district-neighborhood plan (MF-4-NCCD-NP) combining district zoning to amend the Hyde Park North neighborhood conservation combining district (NCCD). Planning Commission Recommendation: To be reviewed on January 15, 2008. Applicant and Agent: Reland Texas, L.P. (Michael Beardsley). City Staff: Glenn Rhoades, 974-7715.

**This item was postponed to January 31, 2008 at the staff's request.**

80. C14-2007-0235 - Judges' Hill Neighborhood Association (Portion of Downtown Planning Area) Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Judges' Hill Neighborhood Association (Portion of Downtown Planning Area), bounded by Martin Luther King, Jr. Boulevard on the north, West Avenue on the east, 15th Street on the south, and Shoal Creek on the west (Shoal Creek Watershed). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations,

or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Judges' Hill Neighborhood Association (Portion of Downtown Planning Area) from the overlay district. Planning Commission Recommendation: To be reviewed on January 15, 2008. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Jorge Rousselin, 974-2975.

**This item was postponed to January 31, 2008 at the staff's request.**

81. C14-2007-0237 - Old West Austin Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Old West Austin Neighborhood Planning Area, bounded by Enfield Road on the north, North Lamar Boulevard on the east, Lady Bird Lake on the south, and North MoPac Expressway on the west (Town Lake Watershed, Shoal Creek Watershed, Johnson Creek Watershed). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Old West Austin Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To be reviewed on January 15, 2008. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Melissa Laursen, 974-7226.

**This item was postponed to January 31, 2008 at the staff's request.**

82. C14-03-0147(RCT) - 8700 Block of South 1st Street - Conduct a public hearing to amend Chapter 25-2 of the Austin City Code by terminating a restrictive covenant as it applies to the property locally known as 8700 Block of South 1st Street (Slaughter Creek Watershed). Staff Recommendation: To terminate the restrictive covenant as it applies to the property. Zoning and Platting Commission Recommendation: To terminate the restrictive covenant as it applies to the property. Applicant: Mickey Rich Plumbing and Heating, Inc. (Roger M. Rich, Jr.). Agent: Smith, Robertson, Elliott, Glen, Klein & Bell, LLP (David Hartman). City Staff: Wendy Rhoades, 974-7719.

**The motion authorizing the termination of a restrictive covenant was approved.**

83. C14-2007-0199 - 8700 Block of South 1st Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8700 Block of South 1st Street (Slaughter Creek Watershed) from townhouse and condominium residence (SF-6) district zoning; neighborhood commercial-conditional overlay (LR-CO) combining district zoning; and community commercial-conditional overlay (GR-CO) combining district zoning to multi-family residence-low density (MF-2) district zoning. Staff Recommendation: To grant multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning. Applicant: Mickey Rich Plumbing and Heating, Inc. (Roger M. Rich, Jr.). Agent: Smith, Robertson, Elliott, Glen, Klein & Bell, LLP. (David Hartman). City Staff: Wendy Rhoades, 974-7719.

**Ordinance No. 20080110-083 for multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning was approved.**

84. C14-2007-0194 - Sonic Drive-In #43 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 9708 Manchaca (Slaughter Creek Watershed) from interim-single-family residence-standard lot (I-SF-2) district zoning to community commercial (GR) district zoning. Staff Recommendation; To grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district

zoning. Applicant and Agent: Sonic Development of Central Texas (John Patton). City Staff: Wendy Rhoades, 974-7719.

**Ordinance No. 20080110-084 for community commercial-conditional overlay (GR-CO) combining district zoning was approved.**

85. C14-2007-0193 - Sonic Drive-In #68 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 129 and 155 West Slaughter Lane (Slaughter Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant and Agent: Sonic Development of Central Texas (John Patton). City Staff: Wendy Rhoades, 974-7719.  
**Ordinance No. 20080110-085 for community commercial-conditional overlay (GR-CO) combining district zoning was approved.**
86. C14-2007-0198 - 2710 Jones Road - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2710 Jones Road (Williamson Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to family residence (SF-3) district zoning. Staff Recommendation: To grant family residence (SF-3) district zoning. Zoning and Platting Commission Recommendation: To grant family residence (SF-3) district zoning. Applicant and Agent: Pryne Renovations, L.L.C. (Steve Pryne). City Staff: Wendy Rhoades, 974-7719.  
**Ordinance No. 20080110-086 for family residence (SF-3) district zoning was approved.**
87. C14-2007-0212 - 907 Rio Grande - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 907 Rio Grande Street (Waller Creek Watershed) from multi-family residence-moderate high density (MF-4) district zoning to limited office (LO) district zoning. Staff Recommendation: To grant limited office (LO) district zoning. Planning Commission Recommendation: To grant limited office-mixed use (LO-MU) combining district zoning with conditions. Applicant: Robert L. Gage Revocable Trust (Robert L. Gage). Agent: Thomas C. Fagerberg, Attorney at Law (Robert C. Fagerberg). City Staff: Jorge E. Rousselin, 974-2975.  
**This item was postponed to January 31, 2008 at the applicant's request.**
88. C14-2007-0219 - 1306 West Avenue - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1306 West Avenue (Shoal Creek Watershed) from family residence (SF-3) district zoning to multi-family residence-moderate high density (MF-4) district zoning. Staff Recommendation: To grant multi-family residence-moderate high density (MF-4) district zoning. Planning Commission Recommendation: To grant multi-family residence-moderate high density (MF-4) district zoning. Applicant: Danforth Holdings Ltd. (Donald Danforth). Agent: Norma Raven. City Staff: Jorge E. Rousselin, 974-2975.  
**Ordinance No. 20080110-088 for multi-family residence-moderate high density (MF-4) district zoning was approved.**
89. C14-2007-0221 - 11304 Dessau Road Zoning Change - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11304 Braker Lane (Walnut Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to neighborhood commercial (LR) district zoning. Staff Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Zoning and Platting Commission Recommendation; To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Applicant and Agent: River City Twirl and Dance (Mildred Willman). City Staff: Sherri Sirwaitis, 974-3057.

**Ordinance No. 20080110-089 for neighborhood commercial-conditional overlay (LR-CO) combining district zoning was approved.**

90. C14-2007-0223 - 509 W. 18th, L.P. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 509 West 18th Street (Town Lake Watershed) from general office (GO) district zoning to downtown mixed use (DMU) district zoning. Staff Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Planning Commission Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Applicant and Agent: HMBM, Inc. (John Bolt Harris). City Staff: Jorge E. Rousselin, 974-2975.

**Ordinance No. 20080110-090 for downtown mixed use-conditional overlay (DMU-CO) combining district zoning was approved.**

91. C14-2007-0229 - South Edge II (Part 2) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6204 Crow Lane (Williamson Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to multi-family residence-low density-neighborhood plan (MF-2-NP) combining district zoning. Staff Recommendation: To grant multi-family residence-low density-neighborhood plan (MF-2-NP) combining district zoning with conditions. Planning Commission Recommendation: To grant multi-family residence-low density-neighborhood plan (MF-2-NP) combining district zoning with conditions. Applicant: Ellen N. Smith (Sue Ellen Smith Crossfield). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 974-7719.

**The first reading of the ordinance for multi-family residence-low density-neighborhood plan (MF-2-NP) combining district zoning with conditions was approved.**

92. C814-99-0001.06 - Avery Ranch PUD Amendment #6 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Avery Ranch Boulevard (Brushy Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning to change a condition of zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning to change a condition of zoning. Applicant: Continental Homes of Texas, Inc. (Richard Majer). Agent: Waterstone Development (Theresa Canchola). City Staff: Sherri Sirwaitis, 974-3057.

**Ordinance No. 20080110-092 for planned unit development (PUD) district zoning to change a condition of zoning was approved.**

93. NPA-2007-0022.02 Greater South River City Combined Neighborhood Plan (Tract 327) - Conduct a public hearing and approve an ordinance amending Ordinance No. 20050929-Z001, the Greater South River City Combined Neighborhood Plan, to change the land use designation on the future land use map (FLUM) from commercial to mixed use for the properties located at 130 and 150 East Ben White Boulevard; 3907, 3909 and 3909 1/2 South Congress Avenue (Tract 327) (East Bouldin Creek Watershed). Staff Recommendation: to approve mixed use land use designation. Planning Commission Recommendation: To approve mixed use land use designation. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Andrew Holubeck, 974-2054.

**Ordinance No. 20080110-093 for mixed use land use designation was approved.**

94. C14-2007-0224(Part) - Greater South River City Combined Neighborhood Planning Area Vertical Mixed Use Building Opt-In/Opt-Out Process (Tracts 323 and 327) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by amending the vertical mixed use overlay district to exclude the property locally known as 2715 South Congress Avenue (Tract 323) (East Bouldin Creek Watershed) from the district; and rezoning property locally known as 130 and 150 East Ben White

Boulevard; 3907, 3909 and 3909 1/2 South Congress Avenue (Tract 327) (East Bouldin Creek Watershed) from community commercial-conditional overlay- neighborhood plan (GR-CO-NP) combining district zoning and general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning for Tract 327 to community commercial-vertical mixed use building-conditional overlay-neighborhood plan (GR-V-CO-NP) combining district and general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district. Staff Recommendation: To amend the vertical mixed use overlay district to exclude Tract 323; and community commercial-vertical mixed use building-conditional overlay-neighborhood plan (GR-V-CO-NP) combining district zoning and general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning for Tract 327. Planning Commission Recommendation: To amend the vertical mixed use overlay district to exclude Tract 323; and community commercial-vertical mixed use building-conditional overlay-neighborhood plan (GR-V-CO-NP) combining district zoning and general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning for Tract 327. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Andrew Holubeck, 974-2054.

**Ordinance No. 20080110-094 to amend the vertical mixed use overlay district to exclude Tract 323; and grant community commercial-vertical mixed use building-conditional overlay-neighborhood plan (GR-V-CO-NP) combining district zoning and general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning for Tract 327 was approved.**

95. C14-2007-0220(Part) - Bouldin Neighborhood Planning Area Vertical Mixed Use Opt-in/Opt-Out Process (Tract 129) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 507 South 1st Street and a portion of 507 Barton Springs Road (Tract 129) (West Bouldin Creek, East Bouldin Creek and Town Lake Watersheds) from commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning to commercial-liquor sales-vertical mixed use building-neighborhood plan (CS-1-V-NP) combining district zoning. Staff Recommendation: To grant commercial-liquor sales-vertical mixed use building-neighborhood plan (CS-1-V-NP) combining district zoning. Planning Commission Recommendation: To grant commercial-liquor sales-vertical mixed use building-neighborhood plan (CS-1-V-NP) combining district zoning. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Melissa Laursen, 974-7226.

**Ordinance No. 20080110-095 for commercial-liquor sales-vertical mixed use building-neighborhood plan (CS-1-V-NP) combining district zoning was approved.**

96. C14-2007-0236 - Dawson Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Dawson Neighborhood Planning Area, bounded by Oltorf Street on the north, Congress Avenue on the east, West Ben White Boulevard on the south, and South 1st Street on the west (East Bouldin Creek Watershed). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Dawson Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To grant vertical mixed use building (V) zoning district and amend the vertical mixed use district to exclude Tracts 1, 4, 8, 9, and 15 from the district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Andrew Holubeck, 974-2054.

**Ordinance No. 20080110-096 for vertical mixed use building (V) zoning district and amend the vertical mixed use district to exclude Tracts 1, 4, 8, 9, and 15 from the district was approved.**

97. C14-2007-0238 - Galindo Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Galindo Neighborhood Planning Area, bounded by Oltorf Street on the north, South 1st Street on the east, West Ben White Boulevard on the south, and the Union Pacific Railroad tracks on the west (West Bouldin Creek, East Bouldin Creek watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Galindo Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To grant vertical mixed use building (V) zoning district and amend the vertical mixed use overlay district to exclude Tracts 1 and 16 from the district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330. **Ordinance No. 20080110-097 for vertical mixed use building (V) zoning district and amend the vertical mixed use overlay district to exclude Tracts 1 and 16 from the district was approved.**
98. C14-2007-0211 - Clear Water at Riata - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5701-5725 Diehl Trail (Walnut Creek Watershed) from general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning to multi-family residence-moderate-high density (MF-4) district zoning. Staff Recommendation: To grant multi-family residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Applicant: Milwood Land Acquisition, LP (Wayne Harris). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 974-3057. **The first reading of the ordinance for multi-family residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning with the following amendment was approved. The amendment was to allow additional trees to be planted in the vegetative buffer and the necessary improvements to allow trees to be planted.**
99. C14-2007-0226 - Stoneleigh Zoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7206 Stoneleigh Place (Onion Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to family residence (SF-3) district zoning. Staff Recommendation: To grant family residence (SF-3) district zoning. Zoning and Platting Commission Recommendation: To deny family residence (SF-3) district zoning. Applicant: Gillifan & McSpadden Ventures, L.P. (Jack McSpadden). Agent: Ric Thompson. City Staff: Wendy Rhoades, 974-7719. **This item was withdrawn.**

### ZONING DISCUSSION ITEMS

71. C14-04-0030 - Time Insurance 1 - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1405-1415 East Riverside Drive (Town Lake Watershed) from limited office (LO) district zoning and family residence (SF-3) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning with conditions. First Reading approved on January 11, 2007. Vote: 7-0. Second Reading approved on December 6, 2007. Vote: 7-0. Applicant: Schuler Family Trust 1998 (John Schuler). Agent: Thrower Design (Ron Thrower). City Staff: Robert Heil, 974-2330. A valid petition has been filed in opposition to this rezoning request.

**Ordinance No. 20080110-071 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning with conditions was approved on Council Member Kim’s motion, Council Member McCracken’s second on a 7-0 vote.**

- 72. C14-06-0117 - Time Insurance 2 - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1317 East Riverside Drive and 1220 IH-35 South (Town Lake Watershed) from community commercial-mixed use (GR-MU) combining district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning with conditions. First reading approved on January 11, 2007. Vote: 7-0. Second Reading approved on December 6, 2007. Vote: 7-0. Applicant: Schuler Family Trust 1988 (John Schuler). Agent: Thrower Design (Ron Thrower). City Staff: Robert Heil, 974-2330. A valid petition has been filed in opposition to this rezoning request.

**Ordinance No. 20080110-072 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning with conditions was approved on Council Member Kim’s motion, Council Member McCracken’s second on a 7-0 vote.**

Mayor Wynn recessed the Council Meeting at 4:44 p.m.

LIVE MUSIC

Dave Madden

PROCLAMATIONS

Distinguished Service Award -- Dr. Adolfo Valadez -- to be presented by Mayor Will Wynn and City Manager Toby Hammett Futrell and to be accepted by the honoree

Mayor Wynn called the Council Meeting back to order at 6:05 p.m.

PUBLIC HEARINGS

- 100. Conduct a public hearing and approve a resolution authorizing the use of approximately 0.460 acre for a temporary staging and storage area construction of a portion of the Govalle 1 - South 2nd Street Reroute Phase I Wastewater Improvement Project through dedicated parkland known as the Mary Dawson Park, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction as well as any parkland restoration will be paid by requester. Recommended by the Parks and Recreation Board.

**The public hearing was closed and Resolution No. 20080110-100 was approved on Council Member Leffingwell’s motion, Mayor Pro Tem Dunkerley’s second on a 4-0 vote. Council Members Kim, Martinez, and McCracken were off the dais.**

- 101. Conduct a public hearing and approve a resolution authorizing the use of approximately 0.274 acre (11,961 square feet) for a wastewater line, approximately 0.35 acre (15,269 square feet) for a temporary work space and approximately 0.126 acre (5,500 square feet) for a temporary staging and storage area site to construct, use, maintain, repair, and replace a wastewater line for construction of a portion of the Waller/Pedernales Area Wastewater Improvement Project through dedicated parkland known as the Metz Park, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction as well as any parkland restoration will be paid by requester. Recommended by the Parks and Recreation Board.

The public hearing was closed and Resolution No. 20080110-101 was approved on Council Member Leffingwell's motion, Mayor Pro Tem Dunkerley's second on a 4-0 vote. Council Members Kim, Martinez, and McCracken were off the dais.

102. Conduct a public hearing and approve a resolution authorizing the use of approximately 12,873 SF (0.295 acre) for a wastewater line and approximately 7,418 square feet (0.171 acre) for a temporary work space to construct, use, maintain, repair, and replace a wastewater line associated with the Govalle I - South 2nd Street Wastewater Improvement Project through dedicated parkland known as the Nicholas Dawson Park, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction as well as any parkland restoration will be paid by requester. Recommended by the Parks and Recreation Board.

The public hearing was closed and Resolution No. 20080110-102 was approved on Council Member Leffingwell's motion, Mayor Pro Tem Dunkerley's second on a 4-0 vote. Council Members Kim, Martinez, and McCracken were off the dais.

103. Conduct a public hearing and approve a resolution authorizing the use of approximately 11,384 square feet (0.26 acre) for a wastewater line, 11,631 square feet (0.267 acre) for temporary work space, 46,986 square feet (1.078 acre) for temporary ingress and egress, and 2,000 square feet (0.0459 acre) for a temporary staging and storage area site to construct, use, maintain, repair, and replace a wastewater line associated with the Govalle 5 Gaston/Bull Creek/W. 25th Street Wastewater Improvement Project through dedicated parkland known as the Shoal Creek Greenbelt located along N. Lamar Blvd between 24th Street and 29th Street, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction as well as any parkland restoration will be paid by requester. Recommended by the Parks and Recreation Board.

The public hearing was closed and Resolution No. 20080110-103 was approved on Council Member Leffingwell's motion, Mayor Pro Tem Dunkerley's second on a 4-0 vote. Council Members Kim, Martinez, and McCracken were off the dais.

104. Conduct a public hearing and approve a resolution authorizing the use of approximately 0.162 acre for a wastewater line, 0.446 acre temporary work space, 1.70 acre access and 1.70 acre temporary staging and storage area to construct, use, maintain, repair, and replace a wastewater line for construction of a portion of the Group 2 Inverted Siphons Wastewater Improvement Project through dedicated parkland known as the Solo Star Tract as part of the Greenway & Destination Parkland Project located along Little Walnut Creek, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction as well as any parkland restoration will be paid by requester. Recommended by the Parks and Recreation Board.

The public hearing was closed and Resolution No. 20080110-104 was approved on Council Member Leffingwell's motion, Mayor Pro Tem Dunkerley's second on a 4-0 vote. Council Members Kim, Martinez, and McCracken were off the dais.

105. Conduct a public hearing for the full purpose annexation of the SH-130/US-290 Retail Area (approximately 88 acres in Travis County approximately 1,000 feet west of the intersection of State Highway 130 and US Highway 290 East).

The public hearing was closed on Council Member Cole's motion, Mayor Pro Tem Dunkerley's second on a 5-0 vote. Council Members Kim and Martinez were off the dais.

106. Conduct a public hearing and consider an ordinance amending Section 25-1-211 of the City Code to authorize the waiver of application fees for a zoning variance from the Board of Adjustment if at least eighty percent of the property owners located within 300 feet of the subject property support the variance. Recommended by the Planning Commission.

The public hearing was closed and Ordinance No. 20080110-106 was approved on Council Member McCracken's motion Mayor Pro Tem Dunkerley's second on a 5-0 vote. Council Members Kim and Martinez were off the dais.

107. Conduct a public hearing and consider an ordinance amending Chapter 25-6 of the City Code to require sidewalks for new buildings, major additions to buildings, and relocated buildings; to provide for administrative waivers from sidewalk installation requirements; and to allow a person to pay into a sidewalk fund instead of installing a sidewalk. Recommended by the Planning Commission.  
This item was postponed to January 31, 2008 on Council Member Leffingwell's motion, Council Member McCracken's second on a 5-0 vote. Council Members Kim and Martinez were off the dais.

Mayor Wynn adjourned the meeting at 6:10 p.m. without objection.

The minutes for the Regular Meeting of January 10, 2008 were approved on this the 17th day of January 2008 on Council Member Cole's motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.